

CHAPTER 301  
SPEECH PATHOLOGY AND AUDIOLOGY CONTINUING EDUCATION  
AND DISCIPLINARY PROCEDURES

[Prior to 9/9/87, Health Department[470], Ch 156]

**645—301.1(272C) Definitions.** For the purpose of these rules, the following definitions shall apply.

*“Accredited sponsor”* means a person or an organization sponsoring continuing education activities which has been approved by the board.

*“Approved program or activity”* means a continuing education program or activity meeting the standards set forth in these rules which has received approval by the board pursuant to these rules.

*“Board”* means the board of examiners for speech pathology and audiology.

*“Hour”* of continuing education means a clock-hour spent after August 31, 1978, by a licensee in actual attendance at and completion of an approved continuing education activity.

*“Licensee”* means any person licensed to practice speech pathology or audiology or both in the state of Iowa.

*“One Continuing Education Unit (CEU)”* is equivalent to ten clock hours of approved continuing education.

*“Verification of attendance”* means:

1. A certificate of attendance provided by a sponsor which contains the date of program, program title and presenter, program site, number of clock hours attended, name of sponsor (and sponsor number if board accredited), and name of the licensee; or
2. A certificate of attendance form provided by the board with all information completed; or
3. A transcript indicating successful completion of academic courses in appropriate subject matter. One semester hour of coursework is equivalent to 15 hours of continuing education and 1 quarter hour of coursework is equivalent to 10 hours of continuing education; or
4. A personal letter to the licensee with the information as specified in 301.1“1” signed by a program official; or
5. A board-issued certificate of attendance for national and international conventions and independent study.

**645—301.2(272C) Continuing education requirements.**

**301.2(1)** Each person licensed to practice speech pathology or audiology in this state shall complete during each continuing education compliance period a minimum of 30 hours of approved continuing education directly related to the clinical practice of speech pathology or audiology. A licensee can elect to successfully complete the Educational Testing Service National Teacher Examination in speech pathology or audiology as appropriate during the compliance period. Compliance with the requirement of continuing education is a prerequisite for license renewal in each subsequent biennial license renewal period. A person holding licensure in both speech pathology and audiology must meet the requirements for each profession.

**301.2(2)** Beginning January 1, 2000, the continuing education compliance period shall be each biennium beginning January 1 of each even-numbered year until December 31 of the next odd-numbered year.

**301.2(3)** Hours of continuing education credit may be obtained by attending and participating in a continuing education activity which meets the requirements herein and is approved by the board pursuant to rule 645—301.3(272C).

**301.2(4)** Carryover credit of continuing education hours into the next continuing education period will not be permitted.

**301.2(5)** The new licensee is exempt from meeting the continuing education requirements for the continuing education biennium in which the license is originally issued. The new license holder will be required to obtain 30 hours of continuing education for each subsequent license renewal.

**301.2(6)** It is the responsibility of each licensee to finance the cost of continuing education.

**645—301.3(272C) Standards for accreditation of sponsors and approval of continuing education activities.**

**301.3(1)** An organization, institution, agency or individual shall be qualified for approval as a sponsor of continuing education activities if the board determines that:

- a. The sponsor presents organized programs of learning; and
- b. The sponsor presents subject matters which integrally relate to the practice of speech pathology or audiology or both; and
- c. The sponsor's program activities contribute to the professional competency of the licensee; and
- d. The sponsor's program presenters are individuals who have education, training or experience by reason of which said individuals may be considered qualified to present the subject matter of the programs.

**301.3(2)** A continuing education activity shall be qualified for approval if the board determines that the activity being presented:

- a. Is an organized program of learning; and
- b. Pertains to subject matters which integrally relate to the practice of speech pathology or audiology or both; which is described as:
  1. Basic communication processes—information (beyond the basic certification requirements) applicable to the normal development and use of speech, language, and hearing, i.e., anatomic and physiologic bases for the normal development and use of speech, language, and hearing; physical bases and processes of the production and perception of speech, language, and hearing; linguistic and psycholinguistic variables related to normal development and use of speech, language, and hearing; and technological, biomedical, engineering, and instrumentation information which would enable expansion of knowledge in the basic communication processes. Any computer course used for continuing education must involve the actual application to the communicatively impaired population.
  2. Professional areas—information pertaining to disorders of speech, language, and hearing, i.e., various types of disorders of communication, their manifestations, classification and causes; evaluation skills, including procedures, techniques, and instrumentation for assessment; and management procedures and principles in habilitation and rehabilitation of communication disorders. The board shall accept dysphasia courses provided by qualified instructors.
  3. Related areas—study pertaining to the understanding of human behavior, both normal and abnormal, as well as services available from related professions which apply to the contemporary practice of speech-language pathology/audiology, e.g., theories of learning and behavior; services available from related professions that also deal with persons who have disorders of communications; information from these professions about the sensory, physical, emotional, social or intellectual states of child or adult; and other areas such as general principles of program management, professional ethics, clinical supervision, counseling and interviewing.
  4. Nonacceptable subject matter—marketing, personal development, time management, child abuse, human relations, collective bargaining, tours. While being desirable these subjects are not applicable to the licensees' skill, knowledge, and competence as expressed in Iowa Code section 272C.2, paragraph "g." Therefore, such courses will receive no credit toward the minimum 30 hours required for license renewal.

- c. Contributes to the professional competency of the licensee; and
- d. Is conducted by individuals who have education, training, or experience by reason of which said individuals may be considered qualified to present the subject matter of the program.

**301.3(3)** Poster sessions may be approved as independent study pursuant to subrule 301.4(3).

**645—301.4(272C) Procedures for accreditation of sponsors and review of continuing education activities.**

**301.4(1) Accreditation of sponsors.**

a. An institution, organization, agency or individual desiring to be designated as an accredited sponsor of continuing education activities shall apply on a form provided by the board. If approved by the board, such institution, organization, agency or individual shall be designated as an accredited sponsor of continuing education activities, and the activities of such an approved sponsor which are relevant to speech pathology and audiology shall be deemed automatically approved for continuing education credit.

b. All accredited sponsors shall issue a certificate of attendance to each licensee who attends a continuing education activity. The certificate shall include sponsor name and number; date of program; name of participant; total number of clock hours excluding introductions, breaks, meals, etc.; program title and presenter; program site; and whether the program is approved for speech pathology, audiology, or both.

c. All accredited sponsors shall keep on file for three years, on a form approved by the board, a list of attendees, license number, number of continuing education clock hours, and a program description and objectives.

d. The board may at any time reevaluate an accredited sponsor. If after such reevaluation the board finds there is a basis for consideration of revocation of the accreditation of a sponsor, the board shall give notice by ordinary mail to that sponsor of a hearing on such possible revocation at least 30 days prior to the hearing.

e. All accredited sponsors shall notify the board if there is a change of address or telephone number or if the contact person changes. Such changes should be sent to the board within 60 days of the change.

**301.4(2) Review of programs.** The board may monitor and review any continuing education program already approved by the board. Upon evidence of significant variation in the program presented from the program approved, the board may disapprove all or any part of the approved hours granted the program.

**301.4(3) Independent study.** The independent study plan must be submitted and approved prior to beginning the study. The projected date of completion must be recorded on the board-provided application form. An independent study report must be filed within 30 days after the projected date of completion. One 30-day extension may be granted upon the condition that such a request in writing is received within 30 days of the projected date of completion. A reminder will not be sent by the board.

A maximum of 10 hours of credit will be given for presenting professional programs that meet the criteria as listed in 301.3(2). Two hours of credit will be awarded for each hour of new presentation material. A course schedule or brochure must be maintained for audit, and an independent study plan must be submitted and approved prior to the presentation. An independent study report shall be filed within 30 days after the completion of the presentation.

The maximum number of independent study hours that can be accrued during any biennium is 16 hours of the 30 hours required. Ten hours of independent study can be accrued for presentations, and 6 hours can be accrued for other independent study activities.

This rule is intended to implement Iowa Code section 272C.2.

**645—301.5(272C) Reporting continuing education credits.**

**301.5(1)** A report of continuing education activities shall be submitted on a board-approved form with the application for renewal by the end of the biennial license renewal period. The information included on the form shall include the title of continuing education activity, date(s), sponsor of activity, sponsor number (if board approved), and continuing education hours earned; or the date and location the licensee successfully completed the National Teacher Examination in speech pathology or audiology, as appropriate. A licensee who takes the licensing examination in lieu of earning continuing education credits shall have the results of the examination sent to the board by the agency administering the examination. The licensee's signature upon this form shall be regarded as verification that the licensee did attend and participate in the activities listed on the form. All continuing education activities submitted must be completed in the continuing education compliance period for which the license was issued as specified in 301.2(2) or a late fee will be assessed as outlined in 645—subrule 300.7(7).

**301.5(2)** Failure to receive renewal application shall not relieve the licensee of the responsibility of meeting continuing education requirements and submitting the renewal fee by the end of the compliance period.

**301.5(3)** Audit of continuing education reports.

*a.* After each educational biennium, the board will audit a percentage of the continuing education reports before granting the renewal of licenses to those being audited.

*b.* The licensee shall make available to the board for auditing purposes a verification of attendance for all reported activities that includes the following information:

- (1) Date, place, course title, schedule, presenter(s).
- (2) Number of contact hours for program attended.
- (3) Official signature of sponsor indicating successful completion of course.

(4) For activities not provided by an accredited sponsor, the licensee shall submit a description of the program content indicating that the content is integrally related to the practice of speech pathology or audiology and contributes directly to the provision of speech pathology or audiology services to the public.

*c.* For auditing purposes the licensee must retain the above information for three years after the biennium has ended.

*d.* Submission of a false report of continuing education or failure to meet continuing education requirements will cause the license to lapse and may result in formal disciplinary action.

*e.* All renewal license applications that are submitted late (after the end of the compliance period) shall be subject to audit of continuing education report.

*f.* Any licensee against whom a complaint is filed may be subject to an audit of continuing education.

**645—301.6(272C) Disability or illness.** The board may, in individual cases involving disability or illness, grant waivers of the minimum education requirements or extensions of time within which to fulfill the same or make the required reports. No waiver or extension of time shall be granted unless written application is made on forms provided by the board and signed by the licensee and appropriately licensed health care professional and the waiver is acceptable to the board. Waivers of the minimum education requirements may be granted by the board for any period of time not to exceed one calendar year. In the event that the disability or illness upon which a waiver has been granted continues beyond the period of the waiver, the licensee must reapply for an extension of the waiver. The board may, as a condition of any waiver granted, require the applicant to make up a certain portion or all of the minimum educational requirements waived by such methods as may be prescribed by the board.

**645—301.7(272C) Hearings.** In the event of denial, in whole or part, of credit for a continuing education activity, the licensee shall have the right to request a hearing. The request must be sent within 20 days after receipt of the notification of denial. The hearing shall be held within 90 days after receipt of the request for hearing. The hearing shall be conducted by the board or a qualified hearing officer designated by the board. If the hearing is conducted by a hearing officer, the hearing officer shall submit a transcript or tape recording of the hearing including exhibits to the board after the hearing with the proposed decision of the hearing officer. The final decision of the hearing shall be rendered by the board.

**645—301.8(272C) Exemptions for inactive practitioners.** Rescinded IAB 6/16/99, effective 7/21/99.

**645—301.9(272C) Reinstatement of inactive practitioners.** Rescinded IAB 6/16/99, effective 7/21/99.

**645—301.10(272C) Reinstatement of lapsed license.** Rescinded IAB 6/16/99, effective 7/21/99.

**645—301.11 to 301.99** Reserved.

**645—301.100(272C) Definitions.** For the purpose of these rules, the following definitions shall apply:

**301.100(1)** “*Board*” means the board of speech pathology and audiology examiners.

**301.100(2)** “*Licensee*” means any person licensed to practice as a speech pathologist or audiologist or both in the state of Iowa.

**645—301.101(272C) Complaint.** Rescinded IAB 6/30/99, effective 8/4/99.

**645—301.102(272C) Report of malpractice claims or actions.** Rescinded IAB 6/30/99, effective 8/4/99.

**645—301.103(272C) Investigations.** Rescinded IAB 6/30/99, effective 8/4/99.

**645—301.104(272C) Alternative procedure.** Rescinded IAB 6/30/99, effective 8/4/99.

**645—301.105(272C) License denial.** Rescinded IAB 6/30/99, effective 8/4/99.

**645—301.106(272C) Notice of hearing.** Rescinded IAB 6/30/99, effective 8/4/99.

**645—301.107(272C) Hearings open to the public.** Rescinded IAB 6/30/99, effective 8/4/99.

**645—301.108(272C) Hearings.** Rescinded IAB 6/30/99, effective 8/4/99.

**645—301.109(272C) Appeal.** Rescinded IAB 6/30/99, effective 8/4/99.

**645—301.110(272C) Informal settlement.** Rescinded IAB 6/30/99, effective 8/4/99.

**645—301.111(272C) Publication of decisions.** Rescinded IAB 6/30/99, effective 8/4/99.

**645—301.112(272C) Grounds for discipline.**

**301.112(1)** The board may impose any of the disciplinary sanctions set forth in 645—13.1(272C), including civil penalties in an amount not to exceed \$1000, when the board determines that a licensee is guilty of any of the following acts or offenses:

- a.* Fraud in procuring a license.
- b.* Professional incompetency.
- c.* Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of a profession or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established.
- d.* Habitual intoxication or addiction to the use of drugs.
- e.* Conviction of a felony related to the profession or occupation of the licensee or the conviction of any felony that would affect the licensee's ability to practice within a profession. A copy of the record of conviction or plea of guilty shall be conclusive evidence.
- f.* Fraud in representations as to skill or ability.
- g.* Use of untruthful or improbable statements in advertisements.
- h.* Willful or repeated violations of the provisions of Iowa Code chapter 147.

**301.112(2)** Violation of the rules promulgated by the board.

**301.112(3)** Violation of the following code of ethics:

- a.* Claims of expected clinical results shall be based upon sound evidence and shall accurately convey the probability and degree of expected improvement.
- b.* Persons served professionally or the files of such persons will be used for teaching or research purposes only after obtaining informed consent from those persons or from the legal guardians of such persons.
- c.* Information of a personal or professional nature obtained from persons served professionally will be released only to individuals authorized by the persons receiving professional service or to those individuals to whom release is required by law.
- d.* Relationships between professionals and between a professional and a client shall be based on high personal regard and mutual respect without concern for race, religious preference, sex, or age.

*e.* Referral of clients for additional services or evaluation and recommendation of sources for purchasing appliances shall be without any consideration for financial or material gain to the licensee making the referral or recommendation for purchase.

*f.* Licensees who dispense products to persons served professionally shall observe the following standards:

1. Products associated with professional practice must be dispensed to the person served as a part of a program of comprehensive habilitative care.

2. Fees established for professional services must be independent of whether a product is dispensed.

3. Persons served must be provided freedom of choice for the source of services and products.

4. Price information about professional services rendered and products dispensed must be disclosed by providing to or posting for persons served a complete schedule of fees and charges in advance of rendering services, which schedule differentiates between fees for professional services and charges for products dispensed.

*g.* Failure to comply with Food and Drug Administration rules 21 CFR §801.420 (April 1, 1981) "Hearing aid devices; professional and patient labeling" and 21 CFR §801.421 (April 1, 1981) "Hearing aid devices, conditions for sale."

**301.112(4)** Personal disqualifications:

*a.* Mental or physical inability reasonably related to and adversely affecting the licensee's ability to practice in a safe and competent manner.

*b.* Involuntary commitment for treatment of mental illness, drug addiction or alcoholism.

**301.112(5)** Practicing the profession while the license is suspended.

**301.112(6)** Suspension or revocation of license by another state.

**301.112(7)** Negligence by the licensee in the practice of the profession, which is a failure to exercise due care including negligent delegation to or supervision of employees or other individuals, whether or not injury results; or any conduct, practice or conditions which impair the ability to safely and skillfully practice the profession.

**301.112(8)** Prohibited acts consisting of the following:

*a.* Permitting an unlicensed employee or person under the licensee's control to perform activities requiring a license.

*b.* Permitting another person to use the licensee's license for any purpose.

*c.* Practice outside the scope of a license.

*d.* Verbally or physically abusing clients.

**301.112(9)** Unethical business practices, consisting of any of the following:

*a.* False or misleading advertising.

*b.* Betrayal of a professional confidence.

*c.* Falsifying clients' records.

*d.* Billing for services which were not rendered, or charging fees which are inconsistent with any prior agreements reached with the clients.

**301.112(10)** Failure to report a change of name or address within 30 days after it occurs.

**301.112(11)** Submission of a false report of continuing education or failure to submit the annual report of continuing education.

**301.112(12)** Failure to notify the board within 30 days after occurrence of any judgment or settlement of a malpractice claim or action.

**301.112(13)** Failure to comply with a subpoena issued by the board.

This rule is intended to implement Iowa Code sections 272C.3 and 272C.4.

**645—301.113(272C) Peer review committees.** Rescinded IAB 6/30/99, effective 8/4/99.

These rules are intended to implement Iowa Code sections 272C.2, 272C.4, 272C.5, 272C.6, 17A.10 and 17A.17.

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